



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Work Session - Final City Council

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Tuesday, January 30, 2018

3:30 PM

City Council Chambers

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### 630 E. Hopkins - Work Session

I. Call To Order

II. Roll Call

### PRESENTATIONS

1. Receive a work session presentation and hold discussion regarding Parking Mobility, a program designed to engage citizens in the process of enforcing disabled parking space violations within the City of San Marcos
2. Receive a work session presentation and hold discussion regarding a recommendation by the Chief of Police for the creation of a Police Citizen Advisory Panel to enhance the Police Department's ability to receive and consider community feedback and address community concerns and problems.

III. Adjournment.

**POSTED ON WEDNESDAY, JANUARY 17, 2017 @ 2:30PM**

**JAMIE LEE CASE, CITY CLERK**

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# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Legislation Text

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**File #:** ID#18-29, **Version:** 1

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**AGENDA CAPTION:**

Receive a work session presentation and hold discussion regarding Parking Mobility, a program designed to engage citizens in the process of enforcing disabled parking space violations within the City of San Marcos

**Meeting date:** 1/16/2018

**Department:** Police

**Amount & Source of Funding**

**Funds Required:** Click or tap here to enter text.

**Account Number:** Click or tap here to enter text.

**Funds Available:** Click or tap here to enter text.

**Account Name:** Click or tap here to enter text.

**Fiscal Note:**

**Prior Council Action:** There has been no prior Council action on this topic.

**City Council Goal:** [Please select goal from dropdown menu below]

Goal #8 Provide efficient & effective delivery of services

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☒ Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

**Background Information:**

The City of San Marcos performs its parking enforcement functions through the deployment of four part-time parking technicians employed by the Police Department. These four employees are responsible for the enforcement of all disabled parking space violations city-wide in addition to all other parking violation concerns such as the time parking program in our downtown area. Some communities including Hays County have chosen to enhance the efficiency and effectiveness of their disabled parking space enforcement by enlisting the help of trained citizens. Parking Mobility is a non-profit company that manages a smartphone application-based program bringing interested citizen volunteers together with municipalities and county governments to greatly increase the number of disabled parking space violations which are enforced. The smartphone app offered by Parking Mobility allows trained citizen volunteers to record violations and submit those directly to the court for adjudication. The end result is an increased likelihood of an offender being observed and cited and therefore a greater rate of compliance in the long term.

**Council Committee, Board/Commission Action:**

N/A

**Alternatives:**

If there is a desire to increase the effectiveness of our disabled parking space enforcement, we may choose to add parking enforcement personnel to the police department or consider alternatives such as Parking Mobility.

**Recommendation:**

The staff recommendation is to move forward with entering into a contract with Parking Mobility to enhance our parking enforcement efforts.

# CITY COUNCIL MEETING

Tuesday, January 16, 2018

# Work Session Agenda

## Item 1

Receive a work session presentation and hold discussion regarding Parking Mobility, a program designed to engage citizens in the process of enforcing disabled parking space violations within the City of San Marcos

## Background:

- Disabled parking violations are a matter of public concern
- Enforcement may be optimized if members of the public are trained and empowered to help
- Police Department has received multiple requests for a program of this type

## Program basics:

- [www.parkingmobility.com](http://www.parkingmobility.com)
- Non-profit company
- Smartphone app
- Uses citizen observers to submit violations
- Violations are reviewed by law enforcement before citation issued
- Currently in use by Hays County



## Volunteer Info:

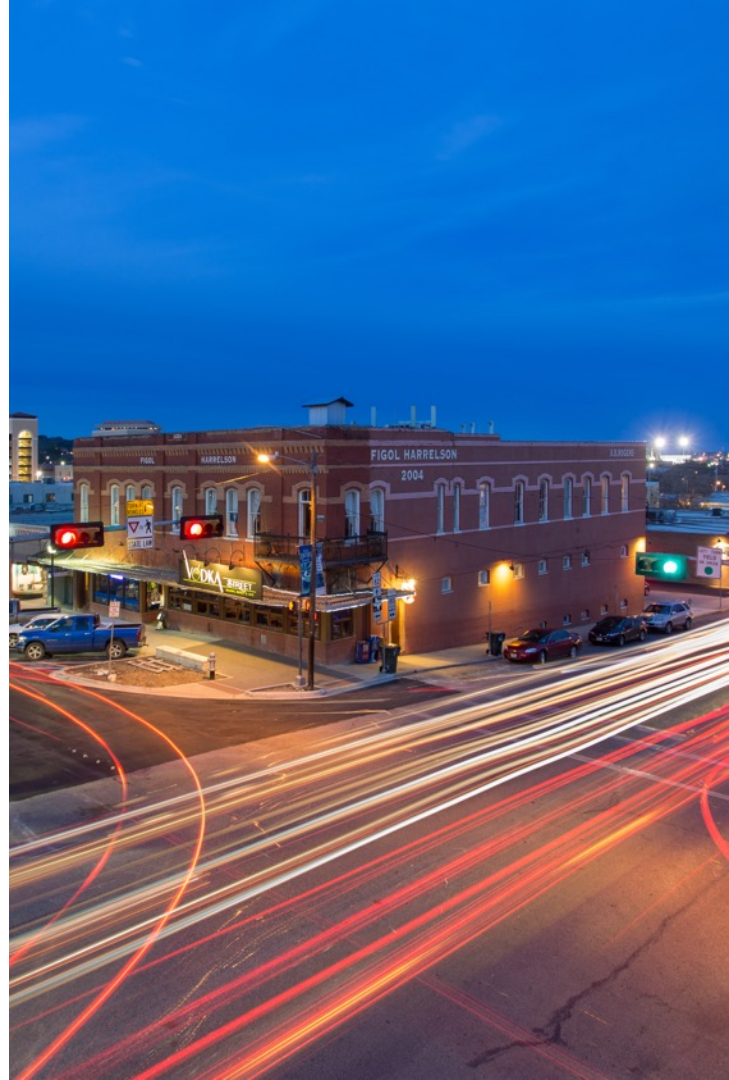
- 2-tiered system
  - Trained
  - Non-trained
- Trained volunteers:
  - Citations filed with court
  - 4-hour block of training required
  - Available to testify in court
- Non-trained volunteers:
  - Anyone using the app without the required training
  - Violations submitted are kept for statistical purposes only





## Fine Information:

- Annual fee structure
  - \$35,000 to \$40,000 annually
- 100% fine collections to city
- Vendor estimates 120-day return on investment
- Revenue for past 2 years with only PD personnel has averaged \$32,750 annually



## Staff Recommendations:

- Identify funding
- Sign contract with vendor
- Recruit volunteers
- Educate public
- Begin enhanced enforcement
- Estimated 45-day implementation timeline





## Legislation Text

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**File #:** ID#17-847, **Version:** 1

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**AGENDA CAPTION:**

Receive a work session presentation and hold discussion regarding a recommendation by the Chief of Police for the creation of a Police Citizen Advisory Panel to enhance the Police Department's ability to receive and consider community feedback and address community concerns and problems.

**Meeting date:** 12/19/2017

**Department:** Police

**Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** Council has not formally taken prior action on this topic. Council has heard comments from citizens requesting some sort of Citizen Panel which would interface with the Police Department.

**City Council Goal:** [Please select goal from dropdown menu below]

Goal #8 Provide efficient & effective delivery of services

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from below]

- ☐ Economic Development Choose an item.
- ☐ Environment & Resource Protection Choose an item.
- ☐ Land Use Choose an item.
- ☒ Neighborhoods & Housing Choose an item.
- ☐ Parks, Public Spaces & Facilities Choose an item.
- ☐ Transportation Choose an item.
- ☐ Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

**Background Information:**

In the wake of Senate Bill 4, Police Departments across the state found themselves having to either build or rebuild relationships with minority segments of their communities. Media coverage surrounding the bill led to a great number of misconceptions about the role of local police in the enforcement of Federal immigration laws. The San Marcos Police Department has been proactive in communicating with our minority communities in the form of various outreach events, social media, and one on one conversations. At a recent City Council meeting, one citizen asked Council to consider the creation of a citizen's review board for the police department. Since that time, Police Chief Stapp has conducted research into the various models of citizen police input bodies being used around the country. This presentation will allow Staff to brief City Council on this research, make recommendations based upon the research, and seek direction from Council on the matter.

**Council Committee, Board/Commission Action: N/A**

**Alternatives:**

There are various models of citizen police advisory bodies in place in the United States. These bodies range from review boards responsible only for the review and oversight of disciplinary matters to advisory panels which serve to help their respective departments be more considerate of community feedback and concerns in the implementation of their procedures and policies. This presentation will include information about multiple models used around the country.

**Recommendation:**

Staff's recommendation will center around the formation of a Chief's Advisory Panel which would consist of qualified members of the community, members of the department, and one facilitator with related experience from Texas State University.

Several slides will accompany this work session presentation.



## Memorandum

TO: Bert Lumbreras, City Manager

FROM: Chase Stapp, Chief of Police

DATE: September 13, 2017

SUBJECT: Citizen Advisory and Oversight Bodies

I am providing this report memorandum in order to be responsive to recent inquiries and requests for information regarding various models of citizen advisory and oversight bodies currently in use in Texas and to share contemporary recommendations made by the International Association of Chiefs of Police. Additionally, I hope to provide information that might serve to guide recommendations about how we may adopt a locally focused model in San Marcos, which could serve our unique local needs and increase communication between the Department and the community at large.

### Research of Contemporary Models and Literature

The October 2015 issue of *The Police Chief* magazine featured an article titled "Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing" co-authored by John G. Reece, PhD, Colorado Mesa University and Judy Macy, Chief of Police, Fruita, Colorado, Police Department. *The Police Chief* is the monthly publication of the International Association of Chiefs of Police. The article made several introductory observations regarding the concept of citizen police advisory bodies, most notably:

- Citizen participation promotes trust in government operations
- Conflict can arise between the types of citizen involvement and traditional principles of public administration theory and practices
- The final report of the President's Task Force on 21<sup>st</sup> Century Policing specifically recommended the use of civilian advisory boards and community outreach programs
- Implementation must be thoughtful and purposeful with a focus on the situation needing to be addressed

The article next illuminated several factors related to the ideal role of advisory bodies, noting that these panels should seek to:

- Develop alternative solutions and new ideas through comprehensive interaction

- Provide informed recommendation on public policies and practices through research and personal experience
- Not serve as a policy-making body
- Serve for specific policy or project recommendations, strategic planning, or review of personnel practices

The article provided concrete examples of advisory bodies that were created in two jurisdictions. The first provided very little useful information. The second example summarized the program in use in the city of Fruita, Colorado. In Fruita, the Citizen Police Advisory Panel was developed following several controversial police actions, which eroded trust in the police in Fruita. The panel was initially granted investigatory authority with limited powers related to conducting complaint investigations. The panel also served as the central citizen complaint repository and review body while making recommendations to the Chief and City Council. Ultimately, this model proved problematic in Fruita due at least in part to the panel members lacking the training and skills needed to investigate complaints adequately. The article also cited confidentiality issues as being problematic. In order to address these concerns, the model was reorganized in 2005 to serve as an advisory group to the Police Chief and City Council on matters relating to policy, procedures, standards, and applicant hiring. The panel is still operating successfully in Fruita.

In closing, the article makes several recommendations for cities and agencies considering the adoption of some sort of police advisory body, most notably:

- The central tenet should be to build trust and two-way communication between the police and the community
- Advisory bodies should be limited in scope and purpose
- Agencies should first define the scope and purpose of their program based upon the unique issues or situations needing to be addressed
- The agency head should retain some authority over board appointments
- The advisory body should be culturally and geographically diverse
- Agencies should utilize the talents of the academic community in the role of facilitator – being concerned with process not content. This member should advise about problem analysis and group decision making
- Agencies must understand that boards/panels add complexity and can remove efficiency from the decision making process but can pay dividends toward earning social capital

I have also extensively studied the current programs in place in Austin and San Antonio both because of their proximity to San Marcos and because these cities have been cited in some of the recent feedback received by your office. The programs in use in both Austin and San Antonio were created within the confines of their meet and confer and collective bargaining processes respectively. This was necessary because, in both cities, members of the oversight panels are allowed access to detailed information about police complaints, which would normally not be allowed by law. I also noted that the limited function of these panels (complaint review and recommendation) would likely not

provide much activity for a similar body empaneled in San Marcos due to the relative infrequency of complaints that would rise to the level of such a panel here.

The Office of the Police Monitor (OPM), a City department that exists separately from the Austin Police Department, oversees the Austin Citizen Review Panel. The OPM serves as the central repository for citizen complaints against Austin Police Officers but does not independently investigate these complaints. Upon receiving and recording a complaint, OPM staff forwards the same to the Internal Affairs Division (IAD) of the Police Department. The IAD then investigates the complaint and makes recommendations to the Chief of Police. The OPM empanels the Citizen Review Panel to review completed investigations and the Chief's recommendations in only two instances: 1. The complaining citizen has requested a review by OPM and 2. In the event one of the following situations exists: A critical incident, an apparent pattern of behavior, a department-wide misconduct issue, serious official misconduct, bias-based misconduct, or the appearance of issues needing to be addressed by policy, procedure, or training recommendations to be made by the panel. In the event the panel is convened to review an administrative investigation, the action the panel may take is only advisory in nature. Ultimately, the Chief of Police makes the final decision about findings and recommended discipline. The panel may choose between one of the following recommendations to the Chief:

- Further investigation is needed
- Department policies warrant review and/or change
- Independent investigation is warranted
- In the event that the panel agrees with the Chief's findings, they may make non-binding recommendation on discipline. This is limited to cases defined as critical incidents

One fact of note regarding Austin's process is that 5 of the 9 meetings scheduled for 2017 have been cancelled due to lack of an agenda.

The San Antonio Police Department utilizes a panel called the Chief's Advisory Action Board (CAAB.) The CAAB is actually comprised of two sub-panels; the Citizen's Advisory Action Board and the Police Advisory Action Board, the first of which is comprised of citizen members from outside the department and the second of which is comprised of 7 sworn members of the department, one from each of the ranks. Members of the Chief's staff manage the CAAB, which solely handles serious complaints. First-line supervisors handle lower level complaints such as discourtesy or uniform appearance issues. Only complaints related to the use of force which results in bodily injury and complaints related to unlawful searches or seizures are reviewed by the joint citizen-police CAAB. The Police Advisory Action Board handles all other complaints. The process during the individual hearings is relatively straightforward. Each case begins with a presentation of the case investigation summary being presented by the Internal Affairs Investigator. The accused officer and the complaining party may address the board, but these appearances are optional. An officer's failure to address the board may not be considered as any degree of admission of fault. After considering all of the

available information in each case, the board makes a recommendation as to their findings by way of secret written ballot. In the event that the majority of the board recommends a finding of “sustained”, the board will then make a recommendation as to what it feels would be appropriate discipline or corrective action. All such recommendations are advisory in nature only. The Chief of Police makes the final decision in regards to both findings and discipline. The board meets bi-weekly, and there have been a few occasions this year wherein the meeting was cancelled for lack of an agenda.

### Local Processes and Recommendations

As noted in the article taken from *The Police Chief* magazine, citizen advisory groups can be a valuable tool in improving communication between the police and the community and in enhancing trust. In a city the size of San Marcos, such an advisory panel could, and should, be used to discuss a broader set of topics than just police complaints and discipline. In cities the size of Austin and San Antonio, it is not uncommon to see a public safety commission empaneled in addition to a citizen police advisory body. In a city our size, I believe a single body could serve to advise the Chief on a wide array of issues impacting the city, its neighborhoods, and the police department. To focus a discussion of how we might make use of such a body locally, I would like to provide some background information about local processes we have in place.

Our processes for handling complaints and discipline are codified in the department’s general orders and follow the requirements of Chapter 143 of the Texas Local Government Code. Allegations of misconduct are classified as either Class I or Class II complaints. Class I complaints are serious allegations such as dishonesty, illegal search or seizure, racial profiling, criminal conduct, or unlawful use of force. Class II complaints, which are the less serious variety, include complaints of behavior such as discourtesy, failure to take appropriate action, or uniform standards complaints. The employee’s immediate supervisor handles Class II complaints. Class I complaints are handled by a supervisor, generally a Commander, outside of the employee’s direct chain of command while serious Class I complaints are handled by the department’s Administration Division Commander. All complaints, regardless of class, are documented in the department’s tracking database. In the case of Class I complaints, the Chief is the ultimate decision maker regarding findings and discipline but confers with the employee’s chain of command regarding both decisions.

In addition to the complaint investigation process, the department also has in place certain proactive measures designed to detect problematic behavior before it becomes an issue. All patrol supervisors conduct quarterly random reviews of both body camera and in-car videos of personnel assigned to their shift. Additionally, department policy requires supervisory review of all instances wherein a person is charged with resisting arrest, is subdued via the use of the Taser, or is involved in a pursuit. More important even than these processes is the culture of ethical behavior, which we have strived to build and maintain. The true test of how healthy this culture is lies in how it responds to examples of employees acting outside of its expectations. Over the past several years, we have demonstrated a distinct ability to identify, report, and adjudicate deviant behavior



within the department. During the 7 years of serving the department either as an Assistant Chief or as the Chief, we have had six officers leave due to termination or resignation in lieu of termination. In every one of those cases, the complaint that began the internal investigation originated from within the agency. In a few of those cases, the complaints came from the lowest levels of the organization.

In September of 2016, I empaneled the Chief's Advisory Panel, the first group of its type at the department in more than 20 years. The stated purpose of this panel is to improve the overall organizational effectiveness of the San Marcos Police Department by providing a supplemental and valuable source of information about department operations directly to the Chief of Police. The panel consists of 12 members of the department who serve at the operational level in their various divisions. My intention in creating this panel was to learn from its operation in hopes of later modifying its composition to include community members. I believe we are ready to make this move, and my vision for a local advisory group is similar to the below:

**Composition:**

7 to 9 members to include: 3 to 4 community members, 3 to 4 department employees, and 1 faculty member from Texas State University to serve as a facilitator

**Potential areas of concern:**

- Policy review and recommendations
- Departmental training reports
- Community and neighborhood concerns
- Employee complaint summary reports

**Recommended requirements for citizen participation:**

- San Marcos Citizen's Police Academy graduate
- Ride-along required
- No conviction for felony or crime of moral turpitude
- Prior history of community/city engagement preferred

A panel of this type would possess several benefits. First, I believe a panel organized and tasked in this manner would not require any modification of the Texas Local Government Code through the meet and confer process since the discussion in relation to the complaints includes only summary information. Additionally, by allowing the panel purview over a more broad range of topics, I believe we could make the best use of the advisory body and could potentially see greater impact toward our stated goals.

In closing, I believe that we are facing an opportunity to take yet another step into the modern community police era and potentially empanel a group that could be very effective in helping the department further its goals of being a model of 21<sup>st</sup> Century

Policing. I look forward to sharing any information I can as we continue the discussion about this topic.

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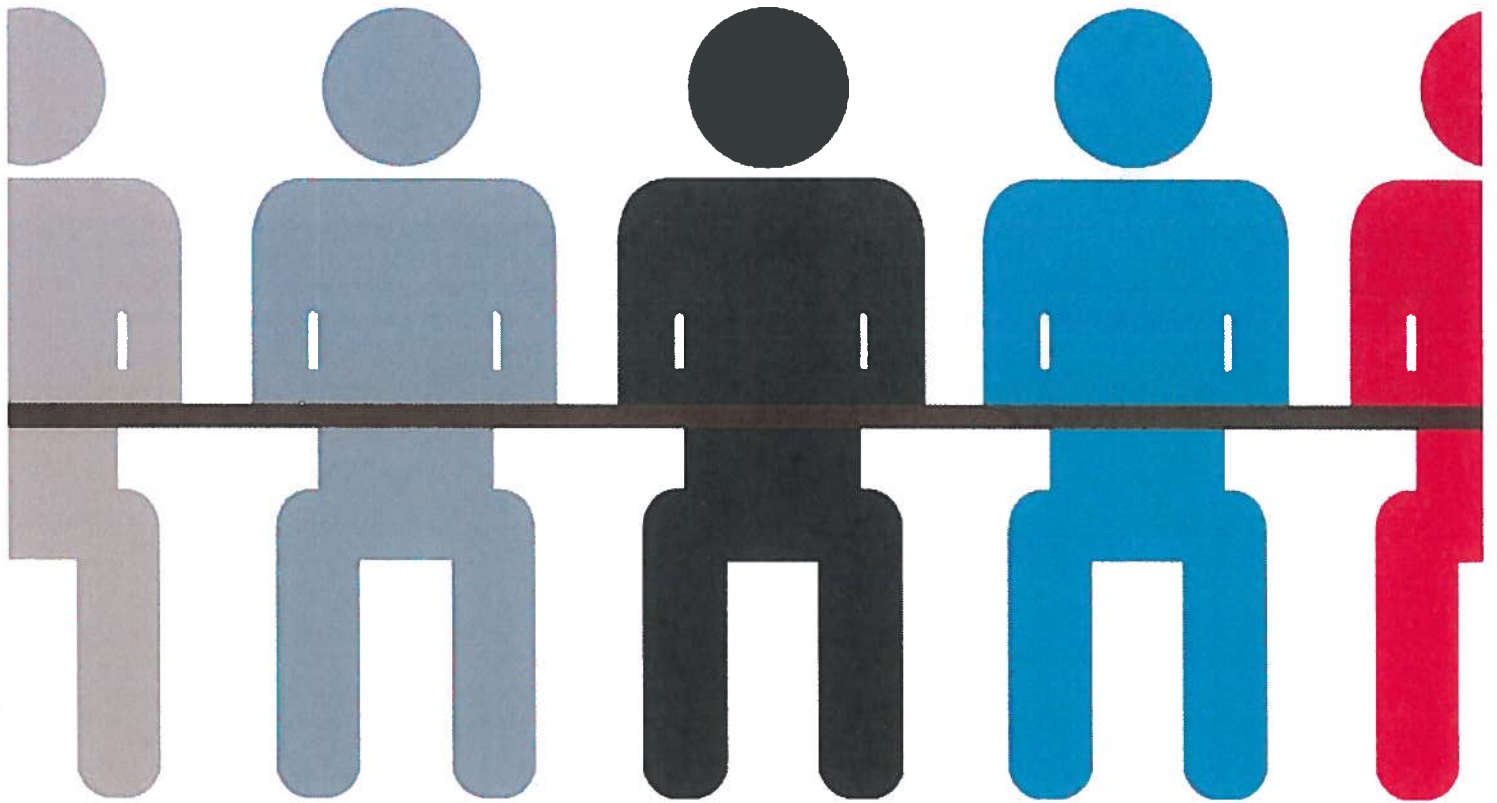
# Criminal Justice Reform

Police Chief Magazine | Topics | Criminal Justice  
Reform | Citizen Advisory Boards in Contemporary  
Practice: A Practical Approach in Policing

## Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing

**John G. Reece, PhD, Colorado Mesa University**

**Judy Macy, Chief of Police, Fruita, Colorado, Police Department**



## Introduction

Democracy is a core value of U.S. society, and citizens have a fundamental right to participate. In addition, it has been widely argued that citizen participation in governmental policy making produces many benefits, and because citizen participation promotes trust in governmental operations, it has continued to be a long-standing value of U.S. public administration. However, historically, the value has not been embraced by law enforcement in a meaningful manner.

The notion of citizen participation is an elusive ideal. Participation efforts in government have continued to evolve without a general consensus of the meaning, and conflict can arise between the types of citizen involvement and the traditional principles of public administration theory and practice. Some researchers have argued that the overarching administrative ethos of the state can create barriers to citizen participation in governance.<sup>1</sup>

An intellectually honest discussion about citizen involvement is particularly relevant in the post-Ferguson, post-New York, post-Baltimore environment of policing, in

which community involvement has become the de facto mandate for law enforcement. Early on, the U.S. federal government provided the primary impetus to citizen participation programs. For example, the Environmental Protection Agency (EPA) developed efforts to incorporate more citizen involvement in environmental protection projects, pushing for national as well as regional improvements to environmental decision making throughout the 1990s. However, such efforts have not been limited to the EPA or the federal government. Public entities at all levels of government have increasingly launched public participation measures.

Local administrative agencies have a long history of seeking out citizen participation via public meetings and hearings, public workshops, feedback surveys, and steering committees. Empirical evidence has underscored the limitations of such practices in terms of reaching true consensus. The practice of deciding upon a policy and then introducing it to citizens in a public hearing format has proven to be a poor technique and a grossly inadequate persuasion tool.<sup>2</sup> In the late 1980s and early 1990s, in order to improve upon the one-way flow of information that takes place in the public meeting forum, citizen advisory boards started to surface, which can overcome several limitations inherent in traditional citizen participation efforts.

The recently released *Final Report of the President's Task Force on 21st Century Policing* emphasized the importance of citizen involvement in policing as a strategy to improve trust between law enforcement and the public. Within the study, citizen advisory boards or community involvement were specifically recommended as action items for local law enforcement, as well as support and collaboration with the federal government, training and education, improved technologies, and officer wellness and safety programs.<sup>3</sup> Today, it is critically important for all police organizations to promote and cultivate citizen involvement with their agencies. However, implementing boards and commissions must be done thoughtfully and purposefully in order to establish a meaningful, effective relationship.

What follows is an analysis regarding the role of citizen advisory boards and some examples of citizen advisory boards that proved to be beneficial to administrative functions. A recommended approach to appointing, organizing, and conducting a citizen advisory board is also presented.

## The Role of Citizen Advisory Boards

A citizen advisory board can be defined as a group of individuals appointed for the purpose of examining a public issue or set of issues, who meet over an extended period, and develop alternative solutions and new ideas through comprehensive interaction. Rather than being open to all members of the public, a citizen advisory board is restricted to a small number of individuals who are expected to represent the interests of the public.<sup>4</sup> A law enforcement organization can utilize a citizen advisory board for advice and input on a myriad of issues. A board may be asked to conduct research, generate new ideas or solutions, or provide informed recommendations on public policies and practices. What a citizen advisory board should not be is a policy-making body; otherwise, the ability of the police executive to do his or her job will be compromised.

Law enforcement leaders cannot transfer their administrative accountability and legal responsibilities to a citizen board—there are statutory rules that must be followed and observed. Although some are cynical about citizen advisory boards because of this lack of formal power, public administration by definition should be done by professional administrators. These individuals have been appointed or elected and are ultimately accountable for the decisions that are made. Police executives have the managerial, legal, and political responsibility to lead their organization. On the other hand, establishing citizen advisory boards for specific policy or project recommendations, strategic planning, or the review of personnel practices can be useful. The implementation of body-worn cameras is an ideal example of a project that might greatly benefit from the perspective of a citizen board. A citizen advisory board can be a critical component to establishing an open culture between a public agency and the community.

## Examples of Citizen Advisory Boards

### ***Example 1: La Plata County, Colorado, Sheriff's Office***

In 1987, Bill Gardner ran for the position of La Plata County Sheriff and made a campaign pledge to rebuild the eroding trust between the sheriff's office and the public. After being elected, Gardner was the first Colorado sheriff to implement a formal citizen advisory board. Gardner's overall mission for the board was to restore trust with the community, have policy oversight, raise personnel standards, and create transparency.

Gardner had no particular individuals in mind as he embarked upon creating the new advisory board. However, he did have a seemingly simplistic mandate—board members had to reflect the diversity of the La Plata County community. La Plata County is a primarily a college and resort community, but it is also home to many hardworking ranchers. To encompass these diverse sectors of the community, Gardner appointed representatives from the local college, the Latino community, local businesses, school board, and a ski resort, as well as the incumbent president of the Cattleman's Association and a Colorado State Patrol major.

The board members were credible and well-known people within the La Plata County community and the residents supported their involvement and representation. With the community's support, the board made significant progress in achieving the fundamental goal of restoring trust. Gardner commented on the success of the advisory board by saying, "What would have taken several years to build was accomplished in less than a year. That is a home run."<sup>5</sup> The La Plata County case demonstrates how a well-designed citizen advisory board can assist a public administrator with agency functions and practices as well as build positive relations with the community.

### ***Example 2: City of Fruita, Colorado***

The City of Fruita, a relatively small city in western Colorado, adopted bylaws in 1999 to establish a Police Commission, following several controversial police actions that eroded community trust. The commission was given investigatory powers, albeit with limited authority. The stated purpose of the commission was to serve as an advisory committee reporting to the city council. The commission was comprised of five members: four citizens nominated by the mayor and one member of the city council. In addition, the Fruita chief of police served as an ex-officio member of the commission with no voting power. The members were selected by the mayor based on their "ability to perform the prescribed duties."<sup>6</sup>

The duties outlined in the bylaws were primarily advisory in nature, including advising on matters involving police department activities, policies, personnel, and planning. However, the board also served as a Citizen Complaint Review Board with the power to investigate citizens' complaints and make recommendations based on their investigations to the chief of police, the city manager, and city council. While the commission did not have authority to administer corrective actions to

department personnel, the investigative authority included the ability to request a review of the (initial) police investigation with the assigned investigator, the questioning of the complainant and associated witnesses while in executive session, and the ability to designate an outside law enforcement jurisdiction to conduct an internal affairs investigation.

This additional authority proved problematic for Fruita. Specifically, members of the Citizen Complaint Review Board lacked the skills, expertise, and training required to properly interview witnesses and officers. Additionally, the board was privy to confidential information, which potentially could have been compromised with civilian involvement.

The problem was essentially resolved in 2005 when city charter revisions addressed the powers and duties of the Police Commission. The makeup of the commission remained the same; however, the duties were revised and limited to recommending policies, standards, procedures, and limitations for the police department, upon the direction of city council and receiving public comment on the operations and management of the agency. In addition, the commission provides input to the city manager on the appointment of the police chief, and, upon the request of the police chief, the commission can assist in the selection of members of the department.<sup>7</sup>

Since 2005, the commission has been instrumental in decisions to implement equipment (e.g., Tasers and body-worn cameras), as well as taking part in the oral board assessment for the police chief and new police officers. In the role of an advisory board to city council, the city manager, and the police chief, the Police Commission has proven to be a valuable asset to all entities and an effective sounding board for the community.

## Recommendations

Police executives and elected officials should decide upon the amount of authority the new board will have while remaining open to the importance of having citizen input and oversight. Effective government is based on trust; thus, a central tenet of a citizen advisory board should be to build trust and two-way communication between the government (police) and the community.



A citizen advisory board should be limited in scope and purpose. There will always be a certain tension between accountability and the notions of community trust and transparency. The operational needs of the agency and the authority given to the board should be based on the situation or the issues being addressed. If too much power and authority is delegated to the citizen advisory board, the ability of the agency head to be an effective leader will no doubt be questioned.

Once the purpose and mission of the citizen advisory board are established, membership selection should take place. The agency head should retain some limited authority in the appointment of the board, accomplished through an established and transparent search process. Ultimately, each applicant should pass a rigorous litmus test prior to becoming a sitting member of the advisory board.

The agency should widely advertise that the board is being formed and notify the community when applications are being accepted. The optimal size will depend on the purpose and mission of the board, which should be large enough to represent a variety of interests yet small enough for each member to be involved without decision making dragging on interminably.<sup>8</sup> Establishing a term limit should be considered, and having the members approved by elected representatives is another consideration. The priority should be to establish a diversified board and to balance the interests and expertise found within the community as a whole.

To be effective, the advisory board cannot be political. Each member must genuinely represent the community or the fundamental objective of the board will be lost. Board members are only a small segment of a community—they should clearly represent a constituency in order to be influential and supported by the population. Because board members volunteer their time, the agency head must ensure that the board does not become dominated by partisan members or overpopulated with participants who have the economic means to donate time. The advisory board should be culturally diverse and have broad geographical representation.

When creating a citizen advisory board for the complex law enforcement incidents U.S. communities have experienced in the recent past, it would be wise to utilize the talents of the academic community in terms of organizing the internal processes of a citizen review. Garnering the organizational and facilitation skills of an expert who can teach the advisory board about problem analysis and decision making will

positively influence the overall process and outcome. The outside facilitator should be concerned with the board's process, not the content of the issues being addressed by the board. Advisory board members should mutually agree upon a consensus process in the development and approval of the recommendations. Transparency in the decision-making process will build trust among the participants.

For some communities, cost can be a barrier to implementation. The per-decision cost of a citizen advisory board is arguably more expensive than a single administrator. A citizen advisory board will have significant time commitments, whereas an astute agency administrator can make some decisions in less than a month, within a day, or even within an hour. However, what cannot be measured when utilizing a citizen advisory board is the social capital gained.

Determining if citizen advisory boards truly work is difficult because of limited empirical studies and the diversity in criteria for success. Furthermore, success is difficult to define. Researchers and practitioners have historically measured success within two broad categories: (a) the success of the process and (b) the success of the outcome.[9] The evaluation of the process is characterized by analyzing the means that were used, rather than focusing solely on results. When evaluating the outcomes, it is important to be cognizant of the fact that an effect could be due to the citizen participation process or some other variables. A balance between process and outcome goals should be met.

## Conclusion

Citizen advisory boards are becoming important components of most law enforcement organizations and, when handled appropriately, will result in more democratic and effective organizations. Police leaders should encourage an engaged citizenry. With citizens participating actively in the organization, the public may be less critical of the difficult decisions often required of public administrators. Effective governmental programs can improve legitimacy and trust, and the best public programs and policies usually emerge from the collaborative efforts of the community and government together. The design and implementation of citizen advisory boards can be vital to accomplishing these goals.♦

**John Reece** is an associate professor of criminal justice and the former director of the Western Colorado Peace Officers Academy (WCPOA) at Colorado Mesa University. Dr. Reece was employed with the Grand Junction, Colorado, Police Department (GJPD) for nearly 20 years. During his tenure at the GJPD, Dr. Reece served as a patrol officer, K-9 handler, field training officer, rifle team member, and detective. Dr. Reece holds a bachelor's degree in criminal justice from Colorado Mesa University, a master's degree in public administration from the University of Colorado, and a PhD in Public Administration from Northcentral University.

**Judy Macy** has worked in law enforcement for 27 years. She began her career with the Douglas County Sheriff's Office in Colorado in 1988, serving in detention, patrol, and investigation units during her time there. In 2002, she joined the Fruita, Colorado, Police Department and was appointed chief of police in 2014. Chief Macy has a bachelor's degree in public administration from Colorado Mesa University.

## Notes:

<sup>1</sup> Terry L. Cooper and Pradeep Chandra Kathi, "Democratizing the Administrative State: Connecting Neighborhood Councils and City Agencies" *Public Administration Review* 65, no. 5 (2005): 559–567.

<sup>2</sup> Renee A. Irvin and John J. Stansbury, "Citizen Participation in Decision Making: Is It Worth It?" *Public Administration Review* 64, no. 1 (2004): 55–65.

<sup>3</sup> President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, D.C.: Office of Community Oriented Policing Services, 2015), [http://www.cops.usdoj.gov/pdf/taskforce/TaskForce\\_FinalReport.pdf](http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf) (accessed June 10, 2015).

<sup>4</sup> John Clayton Thomas, *Public Participation in Public Decisions: New Skills and Strategies for Public Managers* (San Francisco, CA: Jossey-Bass Publishing, 2008).

<sup>5</sup> William "Bill" Gardner (sheriff (ret.), La Plata County; police chief (ret.), Grand Junction Police Department), personal interview by John Reece, 2010.

<sup>6</sup> City of Fruita Charter, *Fruita Police Commission By-Laws*, 1-4, June 1, 1999, <http://org.coloradomesa.edu/~joreece/Fruita%20Police%20Commission%20By-laws%201999.pdf> (uploaded on June 25, 2015).

<sup>7</sup> City of Fruita Charter Resolution 2011-33, *Fruita Police Commission By-Laws, revised*, 1-2, 2-38-2-39, August 2, 2011, (uploaded on June 25, 2015).

<sup>8</sup> *Ibid.*, 4

<sup>9</sup> Caron Chess and Kristen Purcell, "Public Participation and the Environment: Do We

Know What Works?" *Environmental Science and Technology* 33, no. 16 (1999): 2685–2692.

Please cite as

John G. Reece and Judy Macy, "Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing," *The Police Chief* 82 (October 2015): web-only.

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# CITY COUNCIL MEETING

Tuesday, January 16, 2018



## Work Session Agenda

### Item 1

Receive a work session presentation and hold discussion regarding a recommendation by the Chief of Police for the creation of a Police Citizen Advisory Panel to enhance the Police Department's ability to receive and consider community feedback and address community concerns and problems.



## Background:

- Senate Bill 4 misinformation and fear
- Requests from local residents
- Departmental outreach goals
- Another step toward 21<sup>st</sup> Century Policing Recommendations
- Research completed and recommendations developed





## Alternatives:

- Citizen Review Boards
- Chief's Advisory Panels
- Police Commissions
- No Formal Body







## Research:

- Austin Police Policy and Practice
- San Antonio Police Policy and Practice
- *The Police Chief*, October 2015 article



## Citizen Review Boards in Practice:

- Austin Police Department
  - Office of the Police Monitor
  - Meet and confer
  - Citizen review panel
  - Recommendations to Chief advisory in nature only
  - Met less than half of time in 2017 – lack of agenda





## Citizen Review Boards in Practice:

- San Antonio Police Department
  - Chief's Advisory Action Board (CAAB)
    - Citizen's Advisory Action Board
    - Police Advisory Action Board
  - Internally managed
  - Only serious complaints of misconduct rise to joint Chief's Advisory Action Board
  - Recommendations to Chief are advisory in nature only





## ***The Police Chief, Oct 2015:***

- “Citizen Advisory Boards in Contemporary Practice: A Practical Approach in Policing”
- Key take-aways
- Lessons learned in Fruita, CO





## ***The Police Chief, Oct 2015:***

- Key take-aways
  - Citizen participation promotes trust
  - Some conflict may arise between citizen involvement and traditional policing models
  - President's Task Force on 21<sup>st</sup> Century Policing specifically recommended use of citizen advisory panels and community outreach
  - Implementation should be purposeful with a focus on the problem(s) needing to be addressed
  - Closing recommendations



## ***The Police Chief, Oct 2015:***

- Lessons learned in Fruita, CO
  - Early model given investigative authority
  - Central complaint repository
  - Members lacked skills and training
  - Confidentiality issues
  - Reorganized to an advisory body in 2005
  - Still functioning successfully





## Local Practices:

- Ch. 143 local government code rules
- Complaint investigations
- Discipline for substantiated complaints
- IAPro monitoring system
- Quarterly video reviews
- Incident-based supervisor reviews





## 2017 complaint stats:

- **8 external complaints**
  - 7 discourtesy (2 substantiated)
  - 1 attentiveness
- **2 serious internal complaints**
  - 2 employee resignations







## Recommendations:

- Chief's Advisory Panel
  - Composition
  - Areas of responsibility
  - Selection of citizen members
  - Member qualifications
  - Selection of department members





## Next Steps:

- Establish project timeline
- Finalize policy
- Select community members
- Hold initial meeting
- Schedule follow-up meetings

